

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ART SHY, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 3:92-cv-00333
)	
NAVISTAR INTERNATIONAL)	Judge Walter H. Rice
CORPORATION, et al.,)	
)	
Defendants.)	

NOTICE OF APPEAL

Pursuant to FED. R. APP. P. 3, notice is hereby given that Defendants Navistar Financial Corporation, Navistar International Corporation, Navistar International Transportation Corporation (now known as Navistar, Inc.), Navistar International Transportation Corporation Health Plan, Harco National Insurance Company, and Indianapolis Casting Corporation hereby appeal to the United States Court of Appeals for the Sixth Circuit from this Court's September 30, 2011 Order Directing Defendants to Immediately Reinstate, Retroactively, the Prescription Drug Benefit that was in Effect Before Navistar Unilaterally Substituted Medicare Part D for Such Benefit (Docket No. 383), a copy of which is attached hereto as Exhibit A.

Dated: October 14, 2011

Respectfully submitted,

s/ Cary R. Perlman

*ONE OF THE ATTORNEYS FOR NAVISTAR
INTERNATIONAL CORPORATION, ET AL.*

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on the 14th day of October, 2011. Notice of this filing will be sent to all parties by operation of the Court's ECF system and copies will be mailed via ordinary U.S. Mail to those parties not registered with the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Cary R. Perlman
Cary R. Perlman
